

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

| | | |
|---------------------------|---|----------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | 8:91CR83 |
| |) | |
| v. |) | |
| |) | |
| CHARLES TYRONE SMITH, |) | ORDER |
| |) | |
| Defendant. |) | |
| _____ |) | |

This matter is before the Court on defendant's motion for sentence reduction, objection to 2011 retroactive sentencing worksheet, and request for evidentiary hearing (Filing No. [471](#)), and the stipulation regarding drug quantity (Filing No. [475](#)). Pursuant to the stipulation, the defendant's total adjusted offense level is 38. His criminal history category remains at II. The government and defense agree that his sentence should be reduced to two hundred sixty-two (262) months imprisonment, considering the prior computation of specific offense characteristics, adjustments, and departures. Accordingly,

IT IS ORDERED:

1) Said motion for sentence reduction is granted and the stipulation of the parties is approved and adopted; the sentence of the defendant is reduced to two hundred sixty-two (262) months. Defendant shall receive credit for all time served.

2) The objection to the 2011 retroactive worksheet is denied as moot; the parties have agreed no hearing is necessary.

3) The conditions of supervised release entered in the original judgment and committal order remain in full force and effect.

DATED this 4th day of June, 2012.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court